



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON, D.C. 20370-5100

TRG

Docket No: 5563-99

17 November 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 November 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by Headquarters Marine Corps, dated 20 September 2000, a copy of which is enclosed.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection the Board substantially concurred with the comments contained in the advisory opinion.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1040
CMT
20 Sep 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION
OF NAVAL RECORDS

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED]

Ref: (a) BCNR Docket #05563-99

1. In response to the reference, the following comments are provided. A satisfactory year in the Selected Marine Corps Reserve, for retirement purposes, is based on an anniversary year. The anniversary year is a period of 12 consecutive months during which a member must accrue a minimum of 50 points if such period is to be credited as a qualifying year for retirement purposes. Retirement points earned during an anniversary year cannot be credited for any other anniversary year other than when the points were earned. The anniversary year that Sergeant Deis is requesting correction to contains no errors. Sergeant Deis obtained a total of 45 points during the anniversary year, which does not constitute a satisfactory year for retirement purposes. The satisfactory or unsatisfactory year for retirement purposes is not a statement of the member's service, therefore does not have a negative impact on Sergeant Deis' service record. It is our opinion, that [REDACTED] Reserve Retirement Record is correct.

2. Point of contact for this matter is Staff Sergeant [REDACTED] (CMT) at (703) 784-0523.

[REDACTED]
By direction

CAREER RETIREMENT CREDIT RECORD

11/13/2000

11:23:38

SSN: [REDACTED]
 RUC: 21626 COMPANY CODE: 2 PRES-GRADE: 01 RECSTAT: E COMP CODE:
 PLT CODE: 2BDE TRNGRP: A R-RECSTAT: 0 RCOMP CODE: KA

ANNU: 20010831 PEBD: 19940516 DOB: 19760729 MAND: 00000000 CERTDATE: 199609

INPUT	ANNIVERSARY YEAR	INACDU	MBR-	TOTAL	INACDU	ACDU	TOTAL			
CRUC	INCLUSIVE DATES	POINTS	SHIP	INACDU	PNTS	POINTS	PNTS	SAT		
		PD	NPD	COR	PNTS	PNTS	CRED	PD	NPD	CRED
21626	20000831-00000000	006	000	000	03	0009	09	001	000	010
21626	19990831-20000830	028	000	000	15	0043	43	022	000	065
28353	19980831-19990830	030	000	000	15	0045	45	136	000	181
88804	19970831-19980830	000	000	000	15	0015	15	054	000	069
14101	19960831-19970830	030	000	000	15	0045	45	000	000	045
14101	19950831-19960830	010	000	000	15	0025	25	045	000	070
14101	19940831-19950830	035	000	000	15	0050	50	048	000	098
88809	19930831-19940830	002	000	000	15	0017	17	083	000	100

-----COMPLETED-----

CAREER TOTALS

INACTIVE DUTY POINTS CORRES.....	0000	ACTIVE DUTY POINTS PAID.....	00389
INACTIVE DUTY POINTS PAID.....	0141	ACTIVE DUTY POINTS NON-PAID....	00000
INACTIVE DUTY POINTS NON-PAID....	0000	TOTAL ACTIVE DUTY POINTS.....	00389
MEMBERSHIP POINTS.....	108	TOTAL POINTS CREDIT.....	00638
TOTAL INACTIVE DUTY POINTS.....	0249	TOTAL SATISFACTORY YEARS.....	06
INACTIVE DUTY POINTS CREDIT.....	0249	TOTAL QUALIFYING SERVICE....	06-00-00